

California State Journal of Medicine.

Owned and Published Monthly by the
Medical Society of the State of California

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Typewritten.

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VOL. XI MARCH, 1913. No. 3

EDITORIAL NOTES**MEDICAL DEFENSE NOTES.**

Each month the JOURNAL will discuss some question relating to the Medical Defense work of the State Society and as these notes of information or discussion may be of the greatest interest to you at any time, you had better look for them. The most important point is, of course, for you to be sure that your dues are always paid up so that at no time are you delinquent; the Society will not defend any suit if the physician defendant was not paid up at the time the alleged malpractice occurred and also at the time when the suit is filed. The importance of paying your dues is of moment to you and not to the Society; the few dollars—the four dollars, to be exact—is a mere drop in the bucket to the Society; but the cost of defending a suit would mean a good many hundred dollars to you. Of course, you may never be sued; and then again, you may be sued to-morrow. And just remember, too, that the State Society Medical Defense is real defense; it is not like insurance where the company will get out of defending a suit if it can by any technicality do so. We took charge of just such a case in San Francisco. The doctor was insured but on a technicality the company refused to defend him. The Society looked out for him, a demurrer was introduced and the case thrown out of court. On January 31st a judgment for \$3,000 was given against a physician in Los Angeles not a member of the Society but who had paid for "insurance" and was, more or less, defended by the insurance company. A couple of months before that another physician in the same place, Los Angeles, also defended by an insurance company, had a judgment against him of \$2,500. Does that sort of "insurance" do you much good?

IMPORTANT SUIT WON

On January 28th a most important suit against a member of the Society, Dr. C. A. Shepard, was begun in Los Angeles and lasted over a period of seven days' trial, resulting in a verdict for Dr. Shepard. The suit was for \$50,000 and it was alleged that he had fraudulently or untruthfully diagnosed a case of tuberculosis when in truth the patient did not have tuberculosis. We all know that it is of the greatest importance to the patient suffering from beginning tuberculosis to have the condition recognized early and long before the sputum is filled with bacilli. Had this most unjust suit been won by the plaintiff a number of similar suits would have been filed against physicians specializing in tuberculosis work and if we may judge by the results when such suits are defended by "insurance" companies, the plaintiff would have secured a verdict. Dr. Shepard writes: "I am proud to belong to a State Society that takes such good care of its members in such blackmail cases. The able defense put up by Mr. H. T. Morrow, the attorney for the Society, and the indefatigable efforts of the Secretary of the Los Angeles County Association, Dr. Geo. H. Kress, with the willing assistance of the members of the Society who left their offices and patients to testify on my behalf is certainly very gratifying." Is it better to keep your dues paid up and get this sort of defense or to let them lapse and depend on the chances of an "insurance" company's defense?

DID NOT UNDERSTAND.

A number of our members seem to have quite misunderstood the suggestion made in the JOURNAL a month or so ago to the effect that the medical defense rules be changed so that suits based on fracture cases would not be defended unless the member had had a consultant at the time he set the fracture, or a good reason for not having had one. Some members thought that was an attempt to get out of defending a good many suits. Not at all; that idea was never dreamed of. The idea back of the suggestion was that it would make it so much easier to win these suits if another physician was present when the patient was treated and could testify to the fact that the fracture had been properly set and dressed. So many suits are coming along that we must do everything that we possibly can to protect ourselves and it was with the idea of making our own protection just so much more secure, that the suggestion was made. There has never been the slightest intimation on the part of any member of the Council, of the Medical Defense Committee, of the Secretary or of our attorneys that we should take advantage of technicalities to get out of defending suits or make any rules that would tend to that. On the contrary, a number of suits have been defended wherein the Society was not absolutely and according to the letter, obliged to undertake the work. But we have felt that it was a moral obligation and that it would be the wish of the members to construe the whole matter most liberally. For instance, we defended a suit against a doctor brought by the father of his patient; the father was violent and